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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
DEAV2003/0072 US NP

Examiner:

Art Unit: 1615

Application No.: 10/779,439

Filed: February 13, 2004

Title: Nitrogen-Substituted
Hexahydropyrazino[1,2-a]Pyrimidine-
4,7-Dione Derivatives, Processes For
Their Preparation and The Use As
Medicaments

I hereby certify that this correspondence is being
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Brian Pritchett

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UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents
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Alexandria, VA 22313-1450

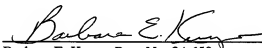
Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

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- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☐ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

Respectfully submitted,



Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/779,439
Filing Date	02-13-2004
First Named Inventor	FLOHR, et. al.
Group Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEAV2003/0072 - US - NP

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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Examiner Signature	/Paul Ward/ (02/19/2009)
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Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Sheet **2** of **2**

Complete if Known

Application Number	10/779,439
Filing Date	02-13-2004
First Named Inventor	FLOHR, et. al.
Group Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEAV2003/0072 - US - NP

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KRCHNAK, V., et. al., Noninvasive Continuous Monitoring of Solid-Phase Peptide Synthesis by Acid-Base Indicator, Collect. Czech. Chem. Commun. Vol.53, (1988) pp. 2542-2548	
		TYLE, P., et. al., Ionophoretic Devices for Drug Delivery, Pharmaceutical Research, 1986, Vol.3, No.6, 318-326	
		VOJKOVSKY, T., et. al., Solid-Phase Synthesis of Heterocycles Containing an 1-Acyl-3-oxopiperazine Skeleton, J. Org. Chem.; 63; 1998; pp. 3162-3163.	

Examiner Signature	/Paul Ward/ (02/19/2009)	Date Considered	
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